

**State of Hawaii  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
Honolulu, Hawaii**

March 10, 2006

180-Day Expiration Date: March 26, 2006

**Board of Land and  
Natural Resources  
State of Hawaii  
Honolulu, Hawaii**

**REGARDING:** Conservation District Use Application (CDUA) OA-3261  
for the Installation of a Prefabricated Comfort Station

**APPLICANT:** Helber Hastert & Fee, Planners for  
City & County of Honolulu (City)  
Department of Design and Construction

**LANDOWNER:** City & County of Honolulu  
Department of Parks and Recreation

**LOCATION** Kawai Nui Model Airplane Park, Kapaa Quarry Road,  
Kailua, Ko'olaupoko, island of Oahu

**TMK:** (1) 4-2-016: portion of 001

**AREA OF PARCEL** 599.559 Acres

**USE:** 0.12 Acres (5,227.2 ft<sup>2</sup>)

**SUBZONE:** Protective

**DESCRIPTION OF AREA AND CURRENT USE**

The project site is located at the existing Model Airplane Park on reclaimed wetlands on the northwestern border of Kawai Nui marsh over a former county landfill dumpsite. According to the applicant, in 1972, the City designated a Model Airplane Field for enthusiasts to fly radio controlled model aircrafts. This is the only field on Oahu formally designated for model aircraft uses. The park provides a large grassed field surrounded by wide-open area over the marsh. There are no nearby residential housing units and relatively little commercial or recreational human activity within a third of a mile of the flight area.

The park is an irregular area of 10.603 acres of which approximately 4.3 acres is graded for the Model Airplane Park use. It is bound by Kapaa Quarry Road to the west, a former city landfill area to the northeast, east, and south, and by unimproved and overgrown portions of designated Model Airplane Park lands to the north between the flying field and the marsh. The project area is within the Protective subzone of the Conservation District (**Exhibit 1, 2 & 3**).

Kawai Nui Model Airplane Park is surrounded by tall grass. There is a parking lot, a portable chemical toilet, an information board, and a chain link fence separating the parking and spectator area from the flight line. There is a City easement for the existing drainage channel along Kapaa Quarry Road. The flying area uses the makai portion of the graded area. This is a well-groomed grassed field on leveled fill material on top of the former landfill, with a slight dropoff at the edge of the built-up fill area (**Exhibit 4**).

There is no electricity, telephone, or sewer service to the site. Existing water service is available and supports a sprinkler system. Access to the Park is from Kapaa Quarry Road, with a marked entry driveway directly across from the entry to the Kapaa Industrial Park. There are no known roadways or public trails on the site. The proposed Kawai Nui Marsh Perimeter Pathway would pass directly by the site and would be supported by this improvement.

The site is a former dump site and is presently covered with alien grasses and non-native species. The drainage channel fronting the site has a significant problem with recurring infestations of *Salvinia molesta* and other unwanted invasive plant species. These plants are regularly sprayed with the herbicide Rodeo by the City Facilities Maintenance. Kawai Nui marsh acts as an important flood storage basin. However this area is designated as Zone X, outside the 500 year floodplain area and provides no flood storage volume for flood event.

The project area does not include any avifaunal habitat area. Cattle egrets have been observed at the site. Kawai Nui Marsh, a major wetland resource, surrounds the site on three sides, and there are water bird breeding areas and habitat southeast of the park, but these areas would not be affected by the proposed action. It is believed that there are no rare or endangered native plants and/or animals or historical resources within the project site that are likely to be impacted by the proposed action (**Exhibit 5**).

## **PROPOSED USE**

The City and County of Honolulu, Department of Design and Construction is proposing to install a prefabricated comfort station at the Kawai Nui Model Airplane Park. The proposed project involves replacing an existing "Jet-O-Matic" portable chemical toilet with a basic, prefabricated comfort station. The new facility would make the Kawai Nui Model Airplane Park compliant with the Americans with Disabilities Act (ADA). The proposed comfort station will be equipped with flush toilets, running water, washbasins, and a bi-level drinking fountain. The comfort station would also serve

hikers, runners, bicyclists, volunteer clean-up groups and other users of the marsh perimeter area.

The proposed comfort station consist of a prefabricated, pre-plumbed, vandal resistant CTX Cortez comfort station that is pre-cast reinforced 5,000 psi concrete. It will rest upon new 23-foot x 140-foot concrete pad connected to the existing parking lot. The proposed action would include total ground disturbance of 0.12 acres. Natural lighting would support daylight-only operations. A redundant wastewater system with two septic tanks and two 30-foot x 20-foot leach fields would provide waste treatment in the absence of a City sewer connection. No electrical hook-up is necessary, and potable water will be provided via a connection to existing 2-inch municipal water lines (Exhibit 6, 7, 8 & 9).

Other improvements include repair and restriping of three parking spaces for two ADA-accessible spaces, an entryway, signage, and probable water line replacement. Landscaping will consist of planting one to three native Loulu palms to soften the visual impact of the new facility. The proposed facilities will be maintained by the City Department of Parks & Recreation.

#### **ALTERNATIVES CONSIDERED**

No action would have the existing temporary portable chemical toilet remain in place, and there would be no running water or washroom facilities. This facility is not handicap accessible. For these reasons, this alternative was rejected.

#### **SUMMARY OF COMMENTS**

The application was referred to the following agencies for their review and comment: the **State:** Department of Health; Office of Hawaiian Affairs; Office of Environmental Quality Control; Department of Land and Natural Resources Divisions of: Aquatic Resources, Forestry and Wildlife, Oahu District Land Office, and Historic Preservation; **City and County of Oahu:** Department of Planning & Permitting, Board of Water Supply, and the Department of Parks and Recreation. In addition, this application and the Environmental Assessment were also sent to the nearest public libraries, the Kaneohe Public Library, to make this information readily available to those who may wish to review it.

Responses were received and have been summarized from the following agencies:

#### **STATE OF HAWAII**

##### **OFFICE OF HAWAIIAN AFFAIRS**

Because Kawai Nui Marsh holds strong traditional and cultural significance to Native Hawaiians, OHA requests that cultural sensitivity be used in all actions on this property. OHA will rely on the applicant's assurances that should iwi kupuna or Native

cease, and the appropriate agencies be contacted pursuant to applicable law. Native Hawaiian traditional and customary gathering, access, and use rights should not be restricted even during the construction process, except as necessary to ensure safety. If safety restrictions are put in place, alternate access routes must be provide.

*Applicant's response*

Should any objects, artifacts, or bones be encountered that could be of historical or cultural significance, all work in that area will cease and the State Historic Preservation Office will be contacted.

Traditional and customary gathering, access, and use rights would not be negatively affected, as the construction is only a small portion of a grassed field in an existing park.

DEPARTMENT OF LAND AND NATURAL RESOURCES

*Forestry and Wildlife*

No comments

*Land Division*

No comment

CITY AND COUNTY OF HONOLULU

*Department of Planning and Permitting*

A Special Management Area Use Permit application for this project has been submitted to our department, which will be accepted for processing within ten (10) day of completion of the assessment required by Section 25-3.3(c)(1), Revised Ordinances of Honolulu 1990, as determined by either the issuance of a Finding of No Significant Impact or the acceptance of a Final Environmental Assessment.

*Board of Water Supply*

No objections or comments

*Department of Parks and Recreation*

The Department of Parks and Recreation supports the proposed CDUA Application for the Kawai Nui Model Airplane Park. The proposed prefabricated comfort station is needed to provide restroom facilities for the increasing number of hobbyists using the park, as the existing portable toilet is inadequate and undesirable for all hobbyists and spectators.

## ANALYSIS:

After reviewing the application, by correspondence dated September 30, 2005, the Department has found that:

1. The proposed use is an identified land use in the Conservation District, according to Section 13-5-22, Hawaii Administrative Rules (HAR), P-6, PUBLIC PURPOSES USES, D-1; "Land uses undertaken by the State of Hawaii or the counties to fulfill a mandated governmental function, activity, or service for public benefit and in accordance with public policy and the purpose of the conservation district. Such land uses may include transportation systems, water systems, communications systems, and recreational facilities." Please be advised, however, that this finding does not constitute approval of the proposal;
2. A public hearing will be required pursuant to HAR, Section 13-5-40(3); "all applications requiring a board permit in the protective subzone;" and
3. In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and HAR, Title 11, Department of Health, Chapter 200, a finding of no significant impact (FONSI) to the environment is anticipated for the proposed project. The Draft Environmental Assessment (DEA) for the project will be submitted to OEQC to be published in the October 8, 2005 Environmental Notice.

Staff notes the DEA was actually published in the September 8, 2005 publication of the Environmental Notice. Furthermore, notice of the FONSI for the proposal was published in the February 8, 2005 publication of the Environmental Notice.

## PUBLIC HEARING SUMMARY

A public hearing took place on November 9, 2005 at the Kailua Recreation Center located at 21 South Kainalu Drive in Kailua, Oahu. 17 persons attended the Public Hearing. Public comments were in support of the proposed project.

The following discussion evaluates the merits of the proposed land use by applying the criteria established in §13-5-30, HAR.

1. *The proposed land use is consistent with the purpose of the conservation district.*

The purpose of the Conservation District is to regulate land use for the purpose of conserving, protecting, and preserving the important natural resources of the state through appropriate management and use to promote their long-term sustainability and the public health, safety and welfare.

The purpose of the project is to improve the public health, safety, and welfare by installing an ADA compliant comfort station at an existing public park. The

The purpose of the project is to improve the public health, safety, and welfare by installing an ADA compliant comfort station at an existing public park. The proposed project supports long-term, sustainable, recreational use of the park, and promotes public health, safety, and welfare.

2. *The proposed land use is consistent with the objectives of the subzone of the land on which the use will occur.*

The objective of the Protective subzone is to protect valuable resources in designated areas such as restricted watersheds, marine, plant, and wildlife sanctuaries, significant historic, archaeological, geological, and volcanological features and sites, and other designated unique areas.

The proposed project is an identified land use within the Protective subzone pursuant to §13-5-22 (P-6) in support of recreational facilities. Although the subzone designation would suggest a more restrictive use, the area is in fact, an old dump that was reclaimed. Staff is comfortable that the project will not result in any more impacts that already exist at the site.

3. *The proposed land use complies with the provisions and guidelines contained in chapter 205A, HRS, entitled "Coastal Zone Management," where applicable.*

Staff believes the proposed use complies with the provisions and guidelines of Chapter 205A. The Honolulu City Council approved the Special Management Area Permit for the project on March 1, 2006.

4. *The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region.*

The site is a former municipal landfill presently covered with alien grasses and non-native species. Staff believes the proposed land use will not cause substantial adverse impact to existing resources.

5. *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding area, appropriate to the physical condition and capabilities of the specific parcel or parcels.*

The proposed comfort station will replace a portable chemical toilet with a more permanent ADA compliant structure. It will be situated adjacent to an existing parking lot at an established recreational area.

6. *The existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, whichever is applicable.*

Staff believes the natural beauty and open space characteristics will be preserved. The proposed facility will be located adjacent to an existing parking lot and planting vegetation will mitigate its visual impacts to the area.

7. *Subdivision of land will not be utilized to increase the intensity of land uses in the conservation district.*

The proposed project does not require subdivision or of Conservation District land.

8. *The proposed land use will not be materially detrimental to the public health, safety, and welfare.*

There are no public restrooms within the Kawai Nui Marsh perimeter. The proposed land use is intended to improve the public health, safety, and welfare by installing an ADA compliant comfort station.

## DISCUSSION

Staff notes the subject area is a public park built over a heavily disturbed area-a former City dumpsite covered with landfill and grassed with introduced vegetation within the Protective subzone. The site is on the fringe of Kawai Nui and carries with it a restrictive subzone designation. However, the site does not appear to be a location of significant natural resource importance.

The proposed action would make the park and the comfort station accessible to users with physical challenges, and would be the only accessible public restroom with running water on the Kawai Nui Marsh perimeter. This would benefit not only the Model Airplane Park users but also hikers, runners, bicyclists, volunteer workers and other users of the marsh perimeter. The proposed land use is intended to improve the public health, safety, and welfare.

## RECOMMENDATION:

That the Board of Land and Natural Resources APPROVE the City and County of Honolulu, Department of Design and Construction's request to construct and install a prefabricated comfort station at the Kawai Nui Model Airplane Park located at Kapaa Quarry Road, Kailua, Ko'olaupoko, island of Oahu, TMK:(1) 4-2-016: portion of 001 subject to the following conditions:

- 1) The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State and County governments;
- 2) The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of

the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;

- 3) All mitigation measures set forth in the accepted Final Environmental Assessment, and conditions to the Special Management Area Permit for this project are hereby incorporated as condition of the permit;
- 4) The applicant shall comply with all applicable Department of Health administrative rules. Particular attention should be paid to Hawaii Administrative Rules (HAR) Section 11-60.1-33, "Fugitive Dust" and to Chapter 11-46, "Community Noise Control; if applicable"
- 5) Before proceeding with any work authorized by the Board, the applicant shall submit four (4) copies of the construction and grading plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan approval by the Chairperson does not constitute approval required from other agencies;
- 6) Any work done or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the Chairperson, and, unless otherwise authorized, shall be completed within three (3) years of the approval. The applicant shall notify the Department in writing when construction activity is initiated and when it is completed;
- 7) All representations relative to mitigation set forth in the accepted environmental assessment or impact statement for the proposed use are incorporated as conditions of the permit;
- 8) The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;
- 9) All activities connected with the project shall be contained within the project area as identified in the application;
- 10) In issuing this permit, the Department and Board have relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
- 11) When provided or required, portable water supply and sanitation facilities shall have the approval of the Department of Health and the Board of Water Supply;

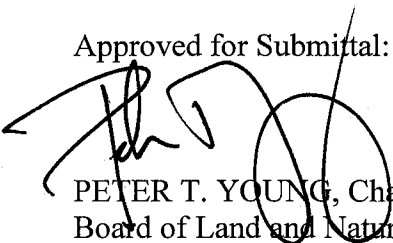
- 12) Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take the measures to minimize or eliminate the interference, nuisance, harm, or hazard;
- 13) During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
- 14) Cleared areas shall be revegetated within thirty (30) days unless otherwise provided for in a plan on file with and approved with the department;
- 15) The approved work shall not hamper, impede or otherwise limit the exercise of traditional, customary or religious practices in the immediate area, to the extent such practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law;
- 16) Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact HPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
- 17) Other terms and conditions as may be prescribed by the Chairperson; and
- 18) Failure to comply with any of these conditions shall render this Conservation District Use Permit null and void.

Respectfully Submitted,

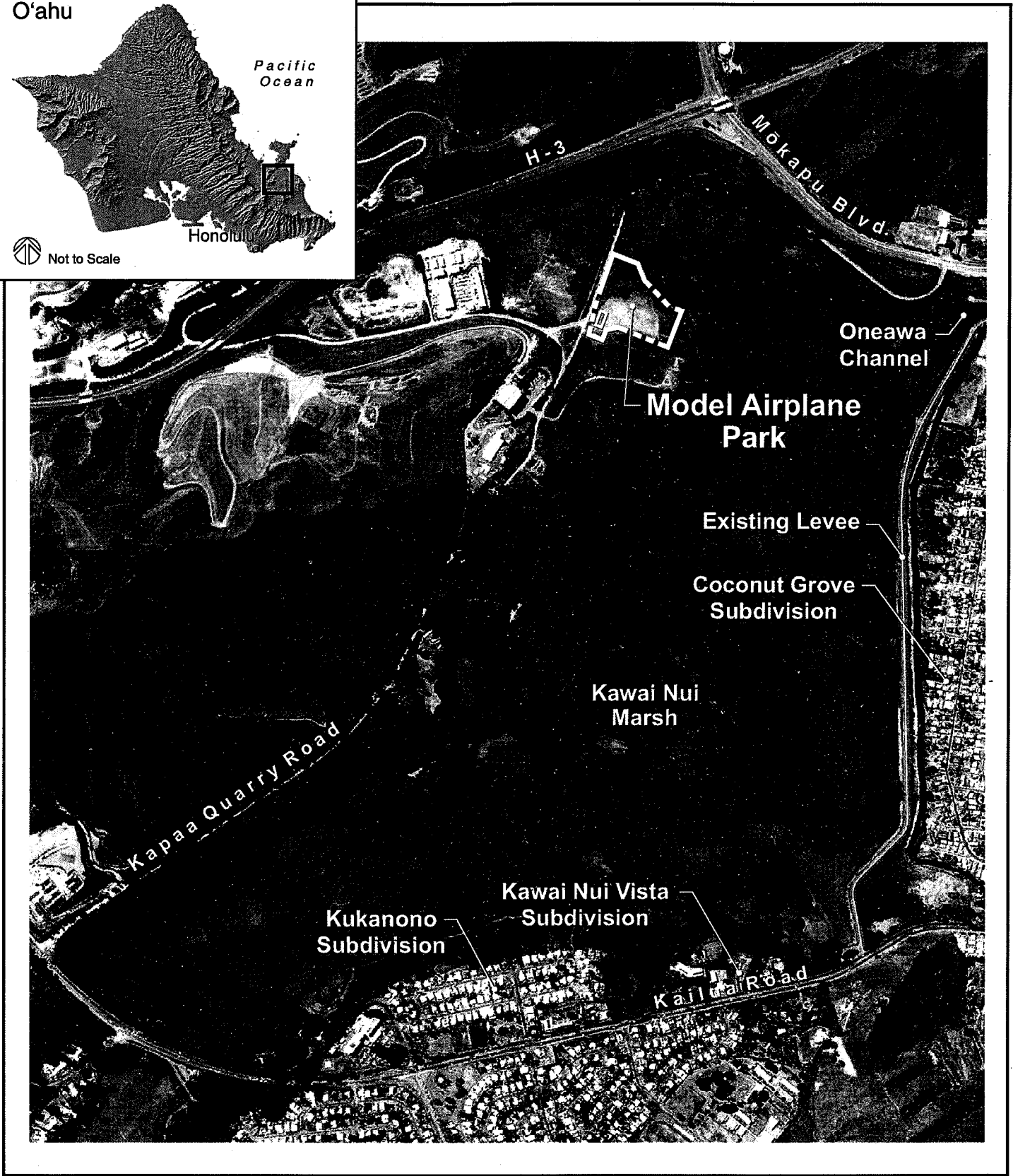
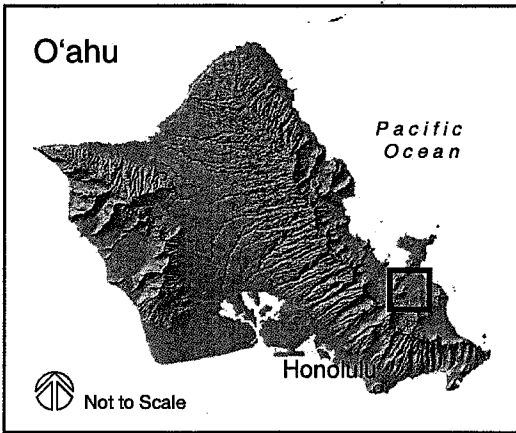


K. Tiger Mills, Staff Planner  
Office of Conservation and Coastal Lands

Approved for Submittal:



PETER T. YOUNG, Chairperson  
Board of Land and Natural Resources



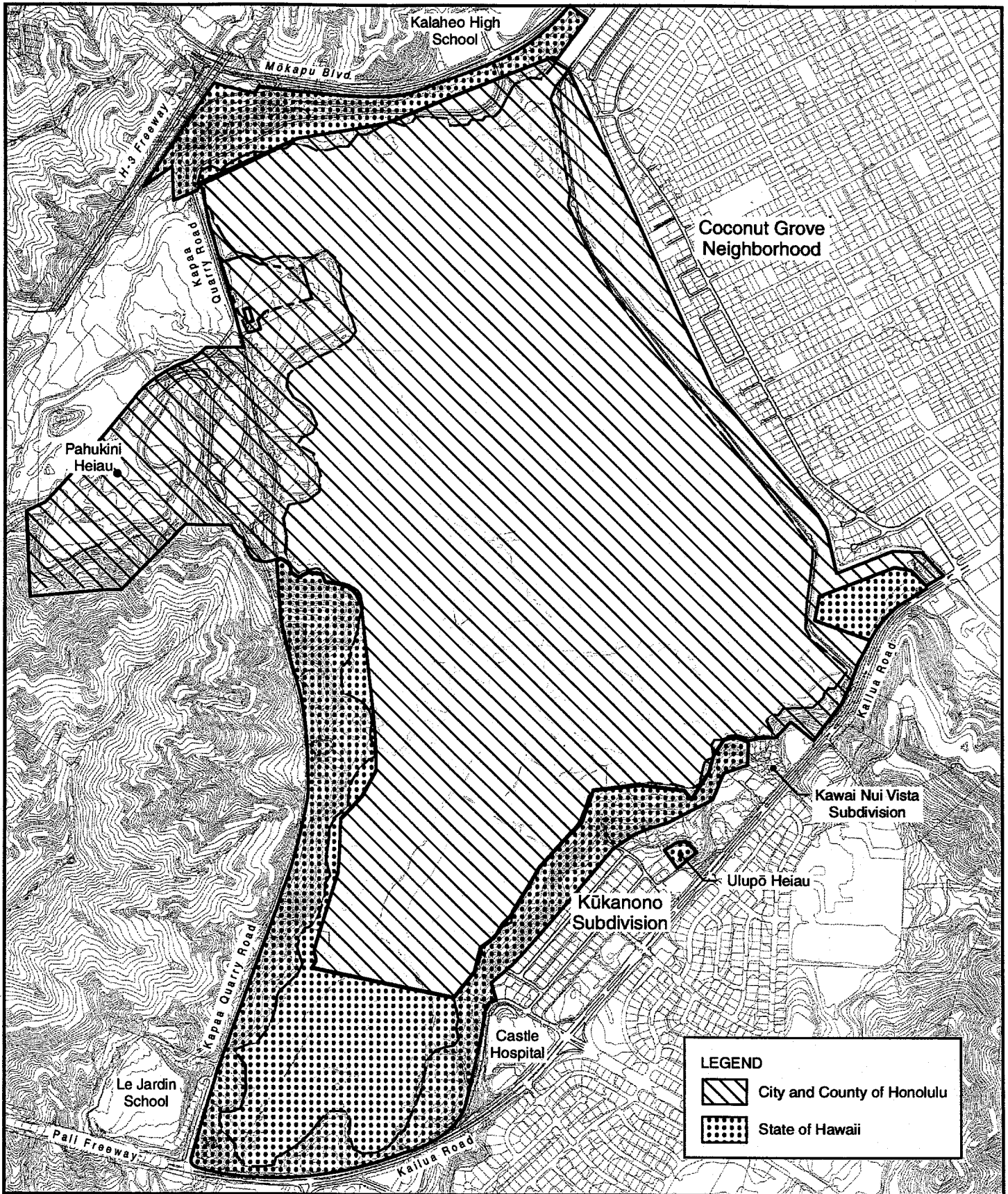
## Project Location

Kawai Nui Model Airplane Park Comfort Station  
Kailua, Ko'olaupoko, O'ahu



Not to Scale





## Land Ownership

Kawai Nui Model Airplane Park Comfort Station  
Kailua, Ko'olaupoko, O'ahu



0 Feet 1300  
0 Meters 400

Figure  
3

EXHIBIT 3

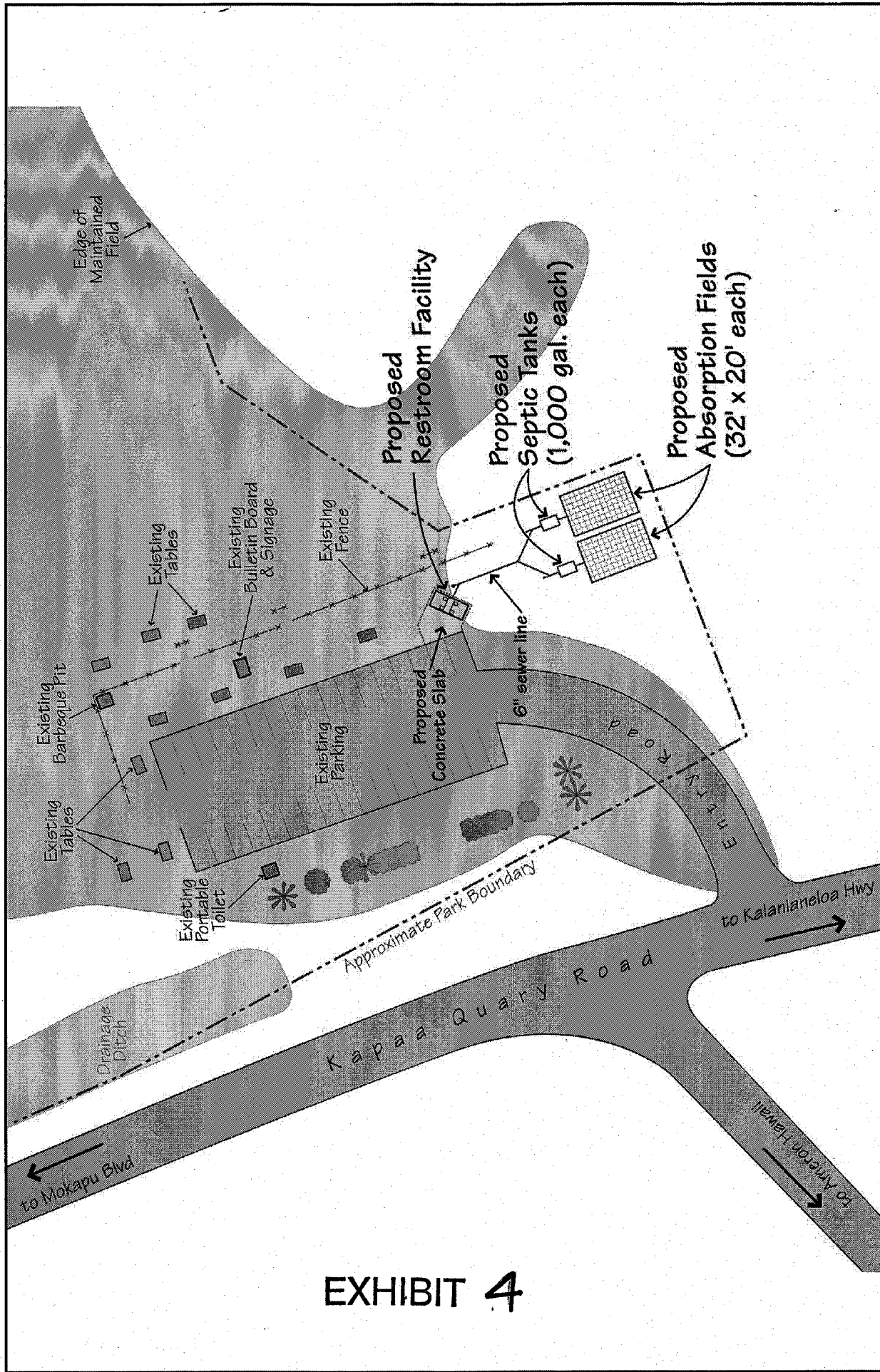


EXHIBIT 4

# Site Plan

Kawai Nui Model Airplane Park Comfort Station  
Kailua, Koʻolaupoko, Oʻahu

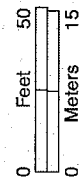
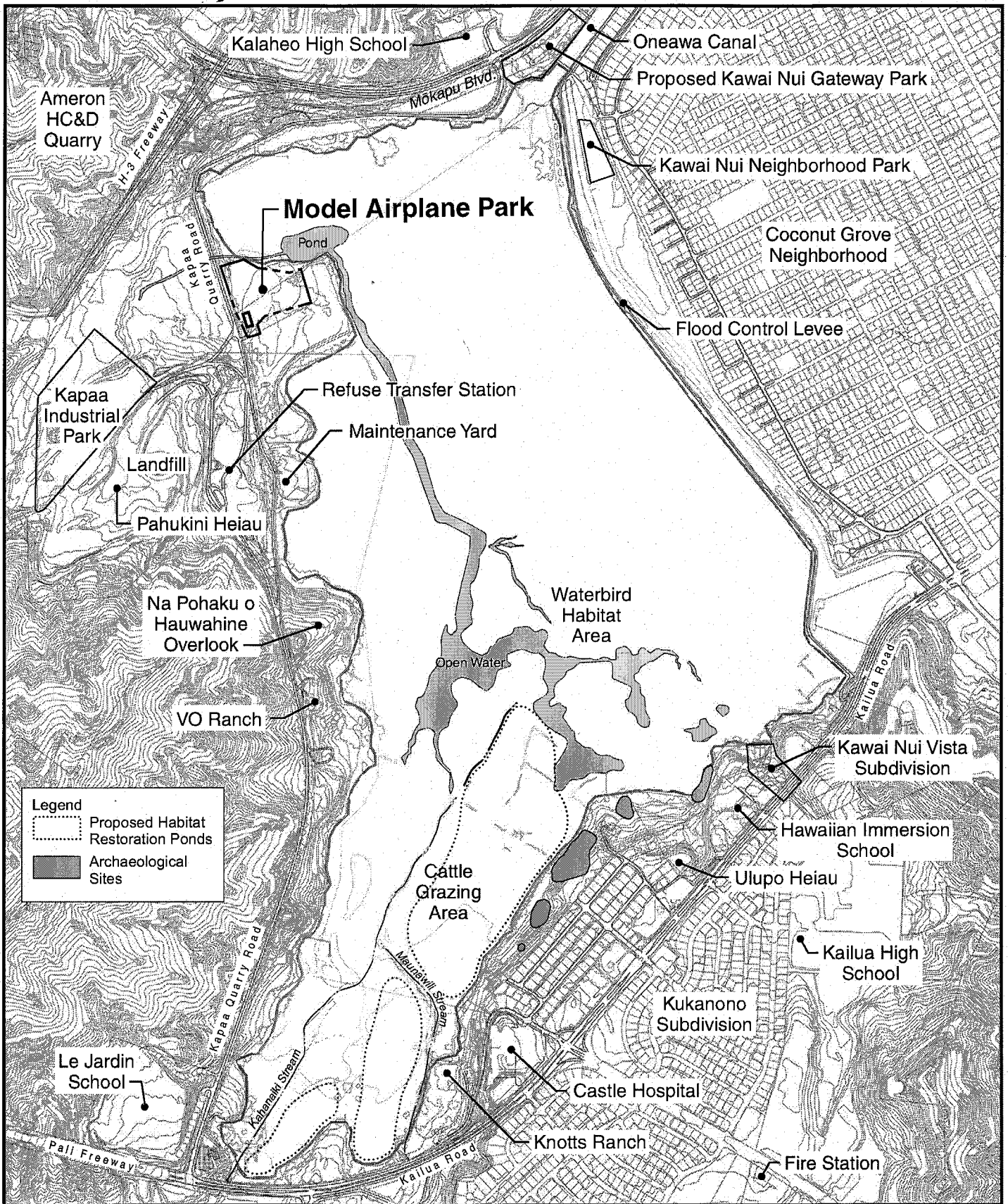


Figure 4



## Surrounding Environment

Kawai Nui Model Airplane Park Comfort Station  
Kailua, Ko'olaupoko, O'ahu

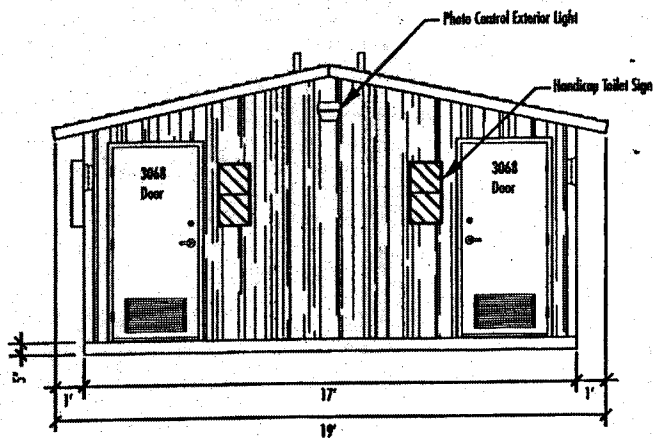


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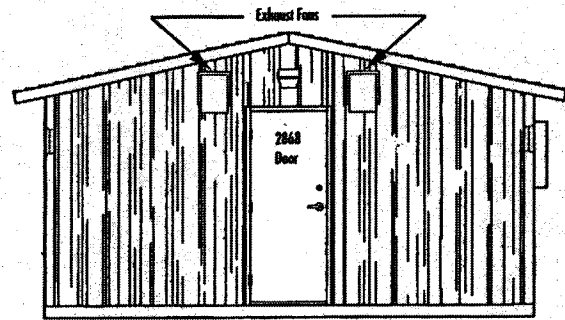
Figure

5

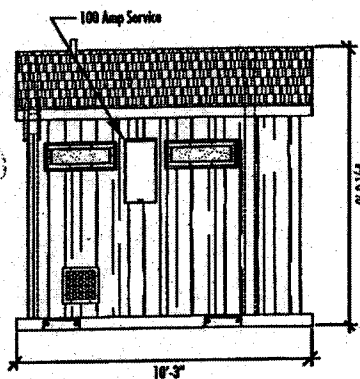




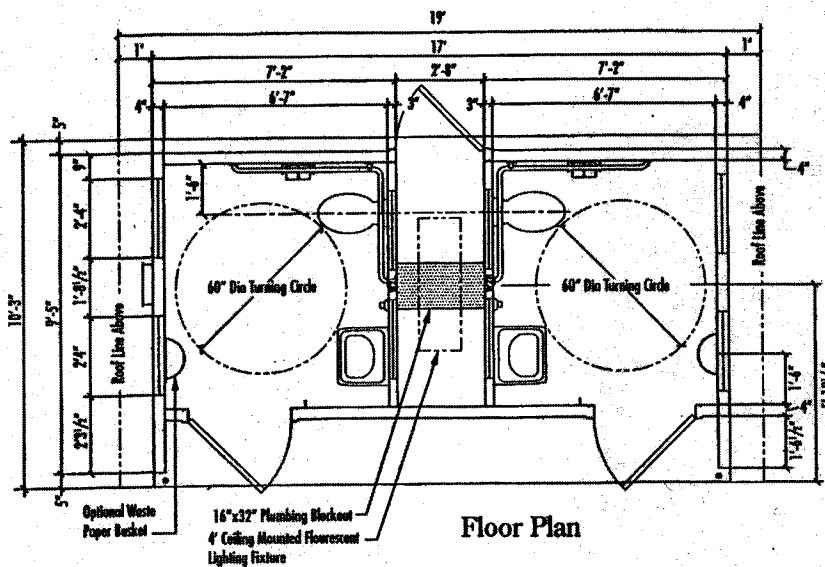
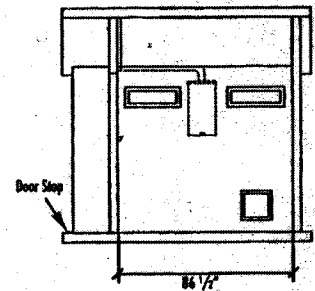
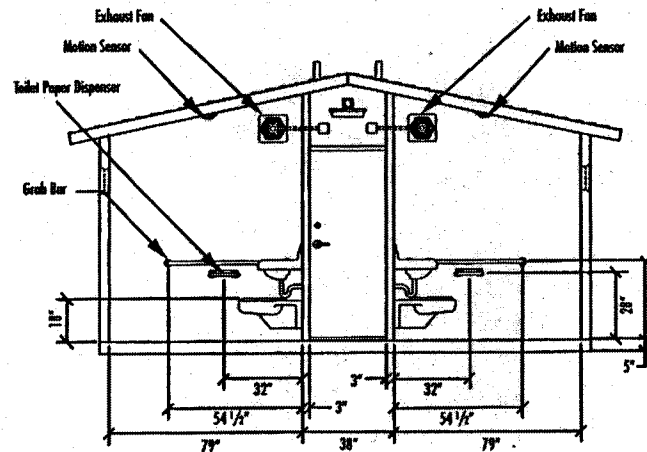
Front Elevation



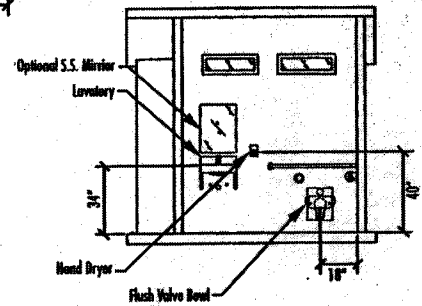
Back Elevation



Left Side Elevation



Floor Plan



CXT Incorporated  
An L.B. Foster Company

Spokane Industrial Park  
3808 N. Sullivan Road Bldg. #7  
Spokane, WA 99216  
Telephone 509-921-8766  
Fax 509-928-8270  
Toll Free 800-663-5789

www.cxtinc.com



FM57026  
ISO 9001 Certified

0301/1000

EXHIBIT 7



# EXT

## Precast Products

### Cortez

- Meets UFAS, A.D.A. and Title 24 statute of the State of California
- Vandal resistant building & toilet components
- 4" thick steel reinforced concrete walls
- 5" thick steel reinforced concrete roof & floors
- Quick installation and hookup at the jobsite
- Available in (25) different and unique earthtone colors
- Barnwood, stucco, exposed aggregate, split face block, or board and batt with horizontal lap siding exterior wall textures
- Cedar shake, ribbed metal, or exposed aggregate exterior roof textures

The Cortez is an economical double flush toilet building designed with a 60" turning radius within each toilet room. The turning radius is measured exclusively of all fixtures, walls and the door. The Cortez's standard features include sink, toilet bowl, electric hand dryer and interior and exterior entry lights.



The Cortez is ideal for both urban and rural areas that experience extreme vandalism. It also meets the needs of those who must provide a current A.D.A. toilet facility without the costly rehabilitation of their existing facilities.

#### Durability:

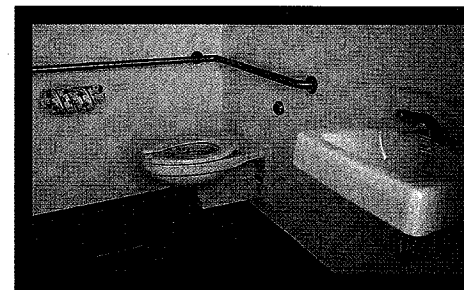
The Cortez is engineered and designed for long-life in extreme

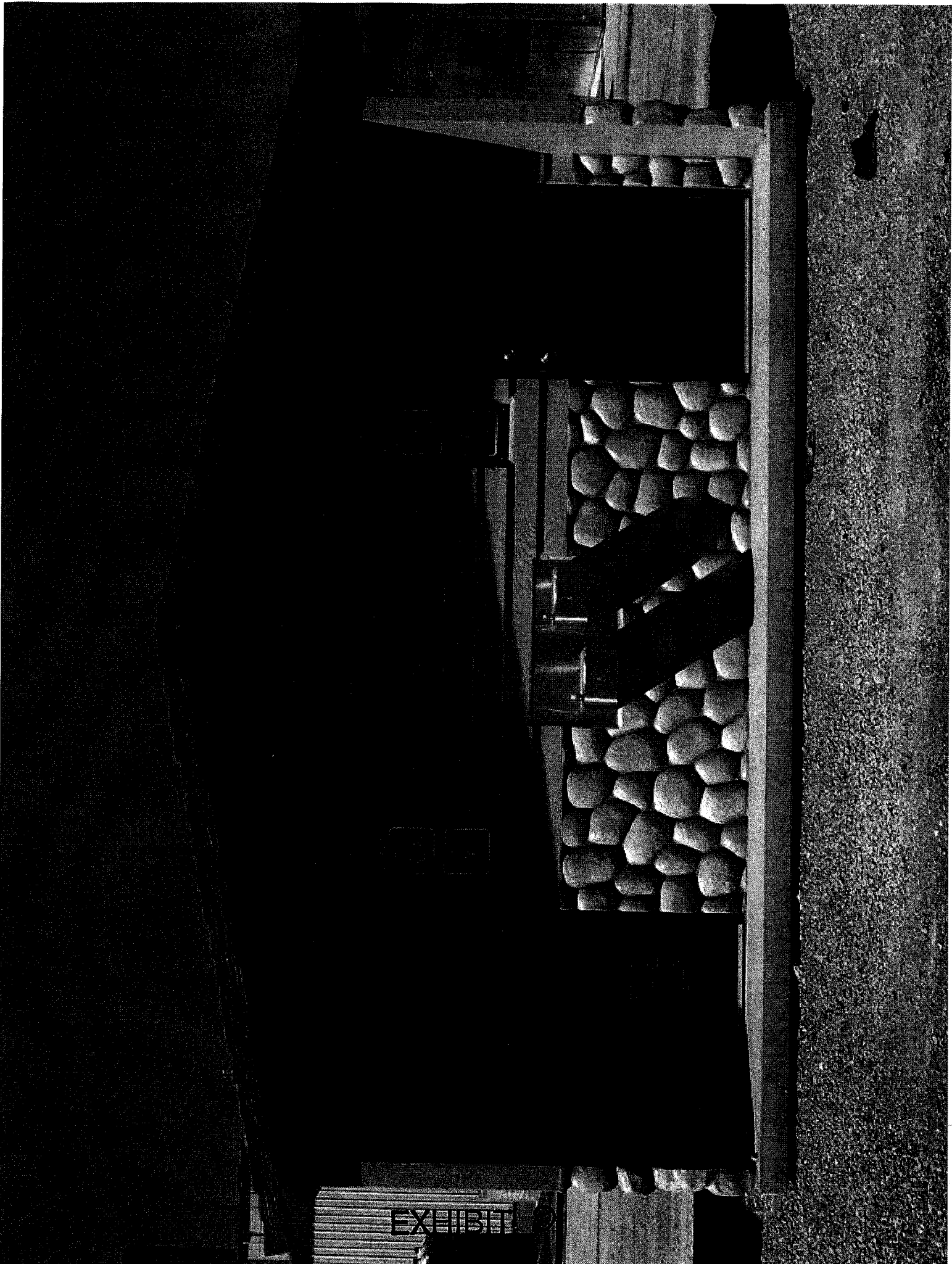
conditions. The building meets or exceeds the effects of a Zone 4 earthquake, a 120-mph wind load and a 250 pounds per square foot snow load.

#### Maintenance:

The Cortez is extremely easy to maintain. With our steel reinforced 5,000 psi concrete construction, the building will not rot, rust, or burn. The building interior is primed and painted with white paint to reflect natural light from the Lexan windows mounted in heavy steel frames cast into the walls.

Cleaning of the building interior is easily accomplished with a brush and warm soapy water.





EXHIBIT